

VIA eFILE

PATENT APPLICATION

Docket No. 16497.138.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |                                  |            |
|----------------------|----------------------------------|------------|
| In re application of |                                  | )          |
|                      |                                  | )          |
|                      | D. Bruce Modesitt et al.         | )          |
|                      |                                  | )          |
| Serial No.:          | 10/729,541                       | ) Art Unit |
|                      |                                  | ) 3731     |
| Filed:               | 12/5/2003                        | )          |
|                      |                                  | )          |
| Conf. No.:           | 1905                             | )          |
|                      |                                  | )          |
| For:                 | ARTICULATING SUTURING DEVICE AND | )          |
|                      | METHOD                           | )          |
|                      |                                  | )          |
| Examiner:            | Julian W. Woo                    | )          |
|                      |                                  | )          |
| Customer No.:        | 057360                           | )          |

**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

VIA eFILE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant's express their appreciation to the Examiner for conducting a telephone interview with Applicants on 19 September 2007. As indicated in the Interview Summary received from the Examiner, Applicants discussed Independent Claim 1 in view of a cited prior art reference (U.S. Pat. No. 6, 036, 699, hereinafter the "Reference"), but did not reach agreement with respect to the indicated claim.

During the Interview, Applicants discussed the existing claim language, differences between the "foot" identified by the Examiner in the Reference and the "foot" of Independent Claim 1, and why the existing claim language overcome the Reference. Potential amendments to describe the orientation of the "foot" and position of the foot being "spaced apart from the proximal end portion" of the shaft were discussed.

In the event that the Examiner finds and remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 25th day of October, 2007.

Respectfully submitted,

/Fraser D. Roy, Reg.# 45666/

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FDR  
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